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United States Court of Appeals,Fourth Circuit.
 UNITED STATES of America, Plaintiff-Appellee,
 v.
 Clifton Lee JORDAN, Defendant-Appellant.
No. 03-6768.

Submitted: March 31, 2004.
 Decided: April 16, 2004.

Appeal from the United States District Court for the District of South Carolina, at Florence. [Cameron McGowan Currie](#), District Judge. (CR-99-795; CA-03-472-4-22).

Clifton Lee Jordan, Appellant pro se.
 Rose Mary Parham, Assistant United States Attorney,
 Florence, South Carolina, for Appellee.

Before [MOTZ](#) and [TRAXLER](#), Circuit Judges, and [HAMILTON](#), Senior Circuit Judge.

*193 Dismissed by unpublished per curiam opinion. Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

**1 Clifton Lee Jordan seeks to appeal the district court's order dismissing as untimely his [28 U.S.C. § 2255 \(2000\)](#) motion. Because we find that he fails to make a substantial showing of the denial of a constitutional right as discussed below, we deny a certificate of appealability and dismiss the appeal.

The district court's order denied Jordan's [§ 2255](#) motion

as time-barred under the Anti-Terrorism and Effective Death Penalty Act of 1996 (AEDPA). Jordan's judgment of conviction was entered August 16, 2000. This court affirmed by an opinion filed November 20, 2001, and a mandate issued on December 12, 2001. See [United States v. Jordan](#), 2001 WL 1470842 (4th Cir. Nov.20, 2001) (No. 00-4606) (unpublished). Jordan filed a [§ 2255](#) motion dated January 28, 2003, in the district court. Construing the motion as having been filed on that date, see [Houston v. Lack](#), 487 U.S. 266, 108 S.Ct. 2379, 101 L.Ed.2d 245 (1988), under the rule announced in [Clay v. United States](#), 537 U.S. 522, 123 S.Ct. 1072, 155 L.Ed.2d 88 (2003), the motion was filed within the one-year limitations period. Under *Clay*, a federal criminal conviction becomes final when the time expires for filing a petition for certiorari contesting the appellate court's affirmation of the conviction in the Supreme Court. [Clay](#), 537 U.S. at 524-25, 123 S.Ct. 1072. Thus, in light of *Clay*, we now find Jordan's motion was timely filed under the AEDPA.

Jordan may not appeal from the denial of relief on his [§ 2255](#) motion, however, unless a circuit justice or judge issues a certificate of appealability. [28 U.S.C. § 2253\(c\)\(1\) \(2000\)](#). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." [28 U.S.C. § 2253\(c\)\(2\) \(2000\)](#). A prisoner satisfies this standard by demonstrating that reasonable jurists would find both that his constitutional claims are debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. See [Miller-El v. Cockrell](#), 537 U.S. 322, 336, 123 S.Ct. 1029, 154 L.Ed.2d 931 (2003); [Slack v. McDaniel](#), 529 U.S. 473, 484, 120 S.Ct. 1595, 146 L.Ed.2d 542 (2000); [Rose v. Lee](#), 252 F.3d 676, 683 (4th Cir.2001).

While we conclude that jurists of reason could debate the correctness of the district court's procedural ruling, we have independently reviewed the record and conclude that Jordan has not made a substantial showing of the denial of a constitutional right. Accordingly, we deny a certificate of appealability and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately

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presented in the materials before the court and
argument would not aid the decisional process.

DISMISSED

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